

REMARKS

Claims 1-18 are pending. Upon entry of this amendment, claims 1-8 and 10-18 will be pending, claims 1, 10, and 15 having been amended and claim 9 canceled. Claims 1 and 15 have been amended to include the feature of now-canceled claim 9. Claim 10 has been amended to depend from claim 1 rather than now-canceled claim 9. There are no issues of new matter.

Claims 1, 2, 14, 15, 17 and 18 stand rejected under 35 USC 103(a) as being obvious over Park (US 2003/0053394) in view of Morita (JP 02-066733). Applicant traverses the rejection.

Claim 1 as amended recites an optical pickup device comprising, *inter alia*, a correction optical device section (e.g., FIG. 1, element 9) that has a correction optical device (e.g., FIG. 1, element 9A) and a correction optical device control section (e.g., FIG. 1, element 9B). The correction optical device control section is configured to adjust an angle of the correction optical device to correct the light path of light reflected by an information recording medium so as to return the ratio of the light spot received by the light receiving portions (e.g., FIGS. 4A and 4B, elements 8a-8d) of the pickup device's light detector (e.g., FIG. 1, element 8) to a prescribed value when it deviates therefrom. See, e.g., the specification, page 19, line 19 - page 22, line 8; page 24, lines 2-14; and page 29, lines 8-17.

Claim 15 as amended recites a method for controlling an optical pickup device comprising, *inter alia*, adjusting an angle of a correction optical device to correct the light path of light reflected by an information recording medium so as to return the ratio of the light spot received by light receiving portions to a prescribed value when it deviates therefrom.

The Office Action concedes that the combination of Park and Morita fails to disclose or suggest the above adjustment feature. See Office Action, page 5, item 5. Therefore, claims 1 and 15 and their respective dependent claims 2, 14, 17, and 18 are not obvious over Park in view of Morita. Withdrawal of the rejection is requested.

Claims 4-8 stand rejected under 35 USC 103(a) as being unpatentable over Park in view of Morita and further in view of Imada (US 5,404,344). Applicant traverses the rejection.

The deficiencies of Park and Morita are not corrected by Imada. Imada also fails to disclose or suggest Applicant's claimed optical pickup device, in particular the correction optical device control section configured to adjust an angle of the correction optical device to correct the light path of light reflected by an information recording medium. Rather, Imada discloses an optical head in which a focusing error signal and a tracking error signal are detected. See, e.g., Imada, 4:10-45. Imada does not disclose or suggest that the optical head includes a correction optical device and a control section to adjust the angle of the optical device, as in Applicant's claims. Therefore, combining Park, Morita, and Imada does not provide Applicant's claimed device.

Claims 4-8, which depend from claim 1, are patentable over Park in view of Morita and further in view of Imada. Withdrawal of the rejection is requested.

Claims 9-12 and 16 stand rejected under 35 USC 103(a) as being unpatentable over Park in view of Morita and further in view of Itonaga (US 5,623,466). Claim 9 has been canceled, rendering its rejection moot. Applicant traverses the remaining rejection.

The deficiencies of Park and Morita are not corrected by Itonaga. Itonaga also fails to disclose or suggest Applicant's claimed optical pickup device, in particular the correction optical device control section configured to adjust an angle of the correction optical device to correct the light path of light reflected by an information recording medium so as to return the ratio of the light spot received by the light receiving portions of the light detector to a prescribed value when it deviates therefrom. Rather, Itonaga discloses an optical pickup apparatus in which a collimating lens L2 is tilted to suppress coma aberration due to the tilt in an optical disc 5. See, e.g., Itonaga, 5:3-7; FIGS. 2A-2C. However, Itonaga does not disclose or suggest that such tilting involves returning the ratio of a light spot received by light receiving portions of a light detector to a prescribed value when it deviates therefrom. Indeed, Itonaga does not disclose or suggest that its

photodetector 7 has a plurality of light receiving portions from which to determine the ratio of a received light spot. Therefore, combining Park, Morita, and Itonaga does not provide Applicant's claimed device.

The Action asserts that it would have been obvious to modify the optical system of Park with that of Itonaga in order to compensate for the tilt of the optical disc and thereby accurately control the position of the light focused on the disc. See, e.g., Office Action, item 5, page 5. Applicant disagrees. The Action admits that Park (in view of Morita) does not disclose adjusting an angle of its sensing lens 57 to correct the light path of the reflected light. In an attempt to correct this deficiency, the Action relies on Itonaga. However, Itonaga does not disclose adjusting its lens 6, which positionally is the same as Park's sensing lens 57. Rather, Itonaga discloses adjusting its collimating lens L2, which positionally is the same as Park's collimating lens 51. Since Itonaga does not mention adjusting its lens 6, a person of ordinary skill would not have been reasonably expected or motivated to look to Itonaga to modify Park's sensing lens 57. At best, Itonaga suggests modifying Park's collimating lens 51, not Park's sensing lens 57 which the Action asserts is Applicant's claimed correction optical device. Therefore, absent impermissible hindsight reasoning, a person of ordinary skill would have had no reason to combine the teachings of Park, Morita, and Itonaga in the manner asserted by the Action.

Claims 10-12 and 16, which depend from claim 1 or claim 15, are patentable over Park in view of Morita and further in view of Itonaga. Withdrawal of the rejection is requested.

In view of the above, each of the presently pending claims in this application is in condition for immediate allowance. A Notice of Allowance is requested.

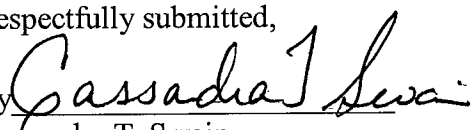
In the event the U.S. Patent and Trademark Office determines that an extension and/or other relief is required, Applicant petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection

with the filing of this document to **Deposit Account No. 03-1952** referencing docket no.
299002057700.

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Respectfully submitted,

By



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